

**ARIZONA PEACE OFFICER STANDARDS AND TRAINING BOARD  
MINUTES OF PUBLIC SESSION HELD FEBRUARY 16, 2005  
PHOENIX, AZ**

A Public Session of the Arizona Peace Officer Standards and Training Board was convened on February 16, 2005, at the AZ POST facility, located at 2643 E. University Drive, Phoenix, AZ.

**Members Present:**

Chairman Gary Butler  
Deputy Tamatha Villar  
Ms. Lisa Flores  
Assistant Director Rod Covey, representing Interim Director David Felix  
Chief Jerry Sheridan  
Dr. Michael Polakowski  
Sergeant Heriberto Zuniga  
Assistant Chief Andy Anderson, representing Chief Jack Harris  
Chief Patricia Huntsman  
Mr. Gary Phelps  
Mr. Theodore Campagnolo, representing Attorney General Terry Goddard

**Members Absent:**

Sheriff Clarence Dupnik  
Mr. Joseph Duarte

**Staff in Attendance:**

Tom Hammarstrom  
Bob Forry  
Ted Brandon  
Curt Milam  
Steve Jacobs  
Gary Maschner  
Sgt. Rick Watling  
Sgt. Crista McCarthy

**Attorney for the Public Body Present:**

Diana Stabler, Assistant Attorney General  
Victoria Mangiapane, Solicitor General

Guests:

Mr. Paul Felice, AZ DOC  
Mr. Bob Kaecker

A. Call to Order

Chairman Gary Butler called the meeting to order at 9:30 a.m.

The Board voted to go into Executive Session to receive legal advice from the Solicitor General's Office. At 10:50 a.m., the public meeting was reconvened.

- B. Petition under the drug experimentation rule for Mark A. Frieberg. The Arizona Game and Fish petitioned the Board to determine whether the pre-employment marijuana usage by Mark A. Frieberg was experimental. Assistant Director Covey made a motion to grant the petition for a determination that the pre-employment marijuana usage by Mark A. Frieberg was experimental, seconded by Deputy Villar, motion carried unanimously.

- C. Consideration of complaints against peace officer certification based upon reports of misconduct.

Case #1 – Edward L. Horvath. No action was taken on the case.

Case #2 – Richard D. Aranda. *Deputy Villar recused herself from voting and participation in this case.* Chief Sheridan made a motion to initiate proceedings, seconded by Chief Huntsman, motion carried.

Case #3 – Sorin Bataneant. Ms. Flores made a motion to initiate proceedings to deny certification, seconded by Chief Sheridan, motion carried unanimously.

Case #4 – Marlin Bichitty. Chief Sheridan made a motion to initiate proceedings, seconded by Chief Huntsman, motion carried with two nay votes.

Case #5 – Mark K. Bonville. Dr. Polakowski made a motion to initiate proceedings, seconded by Mr. Campagnolo, motion carried unanimously.

Case #6 – James A. Espino. Chief Huntsman made a motion to close with No Action, seconded by Deputy Villar, motion carried unanimously.

Case #7 – Emerio Flores Jr. Assistant Director Covey made a motion to close with an RF, seconded by Chief Sheridan, motion carried unanimously.

Case #8 – Charles D. Fraley. Deputy Villar made a motion to close with No Action, seconded by Sgt. Zuniga, motion carried unanimously.

Case #9 – Thomas T. Genco. Chief Sheridan made a motion to close with No Action, seconded by Ms. Flores, motion carried unanimously.

Case #10 – Eric J. Geraci. Chief Sheridan made a motion to initiate proceedings, seconded by Deputy Villar, motion carried unanimously.

Case #11 – Leandra Johnson. Ms. Flores made a motion to close with No Action, seconded by Sgt. Zuniga, motion carried unanimously.

Case #12 – Thomas E. Lahey. *Mr. Campagnolo recused himself from participation and voting on this case.* Mr. Phelps made a motion to initiate proceedings, seconded by Sgt. Zuniga, motion carried with 3 nay votes.

Case #13 – Kenneth E. Poplar. Chief Sheridan made a motion to close with No Action, seconded by Mr. Phelps, motion carried with 3 nay votes.

Case #14 – David Rodriguez. Chief Huntsman made a motion to close with No Action, seconded by Sgt. Zuniga, motion carried unanimously.

Case #15 – Michael J. Schuffert. Chief Sheridan made a motion to initiate proceedings, seconded by Dr. Polakowski, motion carried unanimously.

Case #16 – Jasen A. Tittes. *Assistant Director Covey recused himself from participation and voting on this case.* Dr. Polakowski made a motion to close with an RF, seconded by Chief Huntsman, motion carried.

Case #17 – Lindrith H. Tsoodle. Deputy Villar made a motion to initiate proceedings, seconded by Dr. Polakowski, motion carried unanimously.

Case #18 – Robert H. Wade. Chief Sheridan made a motion to initiate proceedings, seconded by Chief Huntsman, motion carried unanimously.

Case #19 – James A. Warner. *Mr. Campagnolo recused himself from participation and voting on this case.* Mr. Phelps made a motion to close with No Action, seconded by Deputy Villar, motion carried with 1 nay vote.

Case #20 – Jacob E. Wycoff. Dr. Polakowski made a motion to initiate proceedings, seconded by Mr. Campagnolo, motion carried unanimously.

Case #21 – Eldon C. Young. Mr. Phelps made a motion to close with No Action, seconded by Chief Sheridan, motion carried unanimously.

Case #22 (Final Action) – Michael D. Thompson – AZ DPS. *Assistant Director Covey recused himself from participation and voting on this case.* Chief Sheridan made a motion to revoke certification for conviction of a felony, seconded by Chief Huntsman, motion carried.

D. Adjourn

Chairman Butler adjourned the meeting at 12:16 p.m.

Dated this 17<sup>th</sup> day of February 2005.

By: \_\_\_\_\_  
Lois Sherlock, Recording Secretary